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OCT 26 2001

OFFICE OF PETITIONS

In re Application of	:	
Gurbinder Singh Kalsi et al	:	DECISION GRANTING
Application No. 09/921,439	:	PETITION
Filed: August 2, 2001	:	
Attorney Docket No. 60130-1179	:	
00MRA0557	:	

This is a decision on the petition under 37 CFR 1.10(c) filed October 3, 2001, which is properly treated as a petition under 37 CFR 1.10 (d), requesting that the above-identified application be accorded a filing date of August 2, 2001, rather than the presently accorded filing date of August 3, 2001.

Applicants request the earlier filing date on the basis that the application was purportedly deposited with the U.S. Postal Service (USPS) as Express Mail on August 2, 2001. The petition is accompanied by, inter alia, a copy of the USPS Track/Confirm system information showing that the package bearing Express Mail label No. EL747233656US was enroute on August 2, 2001. The same Express Mail receipt number was referred to in the copy of the original transmittal letter found in the present application.

In view of the above, the evidence is convincing that the application was deposited as "Express Mail" with the US Postal Service on August 2, 2001.

The petition is granted.

Receipt is acknowledged of the statutory basic filing fee, declaration, and priority document filed October 9, 2001, in response to the Notice mailed September 10, 2001.

The application is being returned to Initial Patent Examination Division for correction of the filing date to August 2, 2001.

Telephone inquiries specific to this matter should be directed to Wan Laymon at (703) 306-5685.

A handwritten signature in cursive script, appearing to read "Sherry Brinkley".

Sherry Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy